

City of Corunna
Regular Council Meeting
Monday, July 19, 1999

Present: Weaver, Bayless, Bendall, Dumond, Hornus, Ockerman, Runyan.

Absent: None.

Guests: Fire Chief Scott Johnson; Karen Johnson; Joe Williams; Richard Burlingame, City Attorney; Lisa Hitchcock, City Manager; Ross Stanley, Ambulance Manager; Judy Horton; Frank Svrcek; Dave Wenzlick; Chief Mark Hetfield, Police Department; Jeremy Boyd; Tim Crawford, Superintendent of Public Works; Gary Schooley, Director of Parks & Recreation; Karen Hornus; Officer Kevin Clark, Police Department; Dick & Pat Sanderson; Brenda Jordan; Marlene Fick; Bill Constine, the Independent; Todd Schneider; John Hoskins; and other concerned citizens.

The meeting was called to order in the City Council Chambers by Mayor Weaver at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Ockerman moved, Dumond seconded to approve the July 6, 1999 Regular Council Minutes as printed.

Roll call vote:

Yes: Ockerman, Dumond, Hornus, Runyan, Bayless, Bendall.

No: None.

Motion CARRIED

AGENDA APPROVAL: Dumond moved, Bendall seconded to approve the agenda as presented with the deletion of Item No. 2) Consider Engineering Proposal for Booster Pump Station Modifications/Water Tank Painting.

Roll call vote:

Yes: Bayless, Runyan, Bendall, Ockerman, Dumond, Hornus.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Dumond moved, Hornus seconded to approve the vendor disbursements as presented.

Roll call vote:

Yes: Runyan, Ockerman, Bayless, Hornus, Bendall, Dumond.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Dick Sanderson advised that 222 W. McNeil Street looks like a wooded area and the grass needs to be mowed. He further advised the building inspector told him that something would be done about the inside of the house. He asked how long it takes before something is done after a notice expires. Councilperson Dumond stated he asked the building inspector to check out the house and to contact him when the house was checked out but he has not heard anything from the building inspector. Councilperson Hornus asked if the house was a rental house. Ms. Hitchcock advised yes. Councilperson Ockerman stated the city manager would check out the situation.

Marlene Fick stated she originally asked if there was an ordinance that covers alley uses in the City of Corunna. She further stated she did not feel that Mr. Burlingame's letter addressed what an alley could be used for. Mayor Weaver asked Ms. Fick if she wanted to know what an alley could be used for within the city. Ms. Fick advised yes.

CONSIDER APPOINTMENT OF CITY TREASURER: Ms. Hitchcock advised that Jeremy Boyd has been with the city for approximately one year and it was her recommendation that council accept the employment contract with Mr. Boyd as presented. Bendall moved, Dumond seconded to accept the employment contract and to appoint Jeremy Boyd as city treasurer.

Roll call vote:

Yes: Hornus, Bendall, Dumond, Bayless, Ockerman, Runyan.

No: None.

Motion CARRIED

DISCUSSION OF LARRY JULIAN'S LETTER TO AL FOWLER: Mayor Weaver advised that Al Fowler had contacted Representative Julian's office. Mr. Fowler then received a letter from Representative Julian stating that Mr. Fowler needed to come to city council. Mayor Weaver stated that Mr. Fowler has since attended an ambulance board meeting to discuss his concerns with the board. Ms. Hitchcock advised that Representative Julian called and apologized for giving Mr. Fowler the wrong information and that Representative Julian was going to inform Mr. Fowler which board to address. Councilperson Dumond asked Councilperson Bayless if Mr. Fowler was satisfied with the response that he received. Councilperson Bayless advised that Mr. Fowler did address his concerns to the ambulance board and the board tried to answer his concerns. He further advised that Mr. Fowler had three concerns: taking the ambulance when the ambulance crew goes to dinner, the washing of personal vehicles, and the use of lights and sirens to pull equipment out of the driveway and then shutting them off. Councilperson Bayless stated that Mr. Fowler was under the opinion that the ambulance crew was using them in order to get through traffic on their way to dinner or for personal reasons. Councilperson Bayless advised that the ambulance board does not believe that was the reason and it was made clear to Mr. Fowler that it was not legal for the crew to do that.

DISCUSSION OF EAST/WEST ALLEY BETWEEN THE STREETS OF WEST WILLIAMS

AND WEST OLIVER (200 BLOCK), CORUNNA, MICHIGAN: Ms. Hitchcock advised that the alley was an open alley. The property descriptions have been checked and there was nothing to indicate that the alley has been closed. Councilperson Dumond stated he liked Mr. Burlingame's response. Councilperson Hornus stated he was concerned that a fire truck might not be able to get through there so he had the fire chief, Scott Johnson, check out the alley. Chief Johnson advised the fifth wheel is parked halfway into the alley, and a fire truck could not get through the alley. Councilperson Ockerman stated that if the city has an alley then the city should keep it open. Mayor Weaver advised the city needs to enforce the area as an alley and to keep it open, or the people can bring a formal petition to council to consider closing the alley. Mr. Burlingame asked Ms. Fick if she used the alley and if the fifth wheel was an obstruction to her. Ms. Fick advised the fifth wheel takes up over half of the alley, and the fifth wheel should be on the property owner's property. Mr. Burlingame stated that if the fire department sees the fifth wheel as an obstruction then the property owner should be contacted. He further stated the alley perimeters should be located first

since the alley was covered by grass. Ms. Fick advised that she had her property surveyed last year. Ms. Hitchcock asked if the city could get a copy of the paper survey. Ms. Fick advised yes, she would bring the survey to city hall. Mayor Weaver stated there was a petition before council from residents who want the alley closed, but the alley is an open alley. If the residents want to close the alley, they need to make a formal request to council to close the alley. He further stated that council is requesting that the city manager and her staff look into the width of the alley and to see what else is needed to be done with the situation.

COUNCIL APPOINTMENTS: Ms. Hitchcock advised that she had Mr. Burlingame research all of the boards and commissions that council sits on. She further advised that Mr. Burlingame was present at the meeting and would answer any questions that council had. Councilperson Ockerman stated when council tries to follow the ordinances they only have the city code book to follow and not state statutes from the State of Michigan. Mr. Burlingame advised that the planning commission is the one commission that presents the biggest problem. He then distributed copies of state statutes to council that pertained to planning commissions. Mr. Burlingame stated the state statute as amended gives ex-officio members the right to vote and suggested that council might want to amend the city code to bring the code up to date with the state statute. Councilperson Ockerman stated that the situation regarding the police chief has not been addressed. Mr. Burlingame stated the last paragraph in his memo dated July 19, 1999 addressed Mr. Hetfield's situation on the planning commission. He further stated the police chief could be construed as holding another municipal office which prohibits him under the state statute from being on the planning commission. He also stated the ordinance right now does not allow for a councilperson to sit on the planning commission. Councilperson Runyan stated there is one statute that states no councilperson is allowed on the planning commission and another one that states one councilperson is allowed. Mr. Burlingame stated there is no provision in the city's ordinance to allow a councilperson to sit on the planning commission and suggested amending the ordinance to reflect the state statute. Councilperson Ockerman stated there are people in place on the planning commission and he personally did not want to change the ordinance now. He further stated that he had no opposition with Ms. Hitchcock having voting rights. Councilperson Bendall stated that council does not want to violate the ordinance. Councilperson Runyan stated the city ordinance should not be changed for certain people. Councilperson Bayless stated the city ordinance disagrees with the state statute, and the process to change the ordinance should be started to bring the ordinance in line with one of the state statute options. Councilperson Ockerman agreed. Ms. Hitchcock stated she needed some idea on what council wanted to do before the ordinance amendment could be written. Councilperson Dumond suggested taking a look at the other commissions to make sure they fall in line also. Ms. Hitchcock advised she felt that Mr. Burlingame had already addressed the rest of the commissions. The planning commission is set up differently than any other of the commissions. Mr. Burlingame stated subsection two of the state law states that six people can be appointed to the planning commission and subsection four states that eight people can be appointed. Councilperson Dumond stated he felt that the planning commission is the right hand of the city council. Ms. Hitchcock suggested asking the planning commission for their input. Ms. Hitchcock advised the planning commission's next meeting is scheduled for July 28, and the issue could be put on the next council agenda. Councilperson Bayless asked if a public hearing date could be set. Ms. Hitchcock advised a public hearing date could be set at the next council meeting. She asked Mr. Burlingame what the status of Councilperson Runyan and Mr. Hetfield position on the planning commission was. Mr. Burlingame advised

the safest way would be to have Councilperson Runyan and Mr. Hetfield step down now. Councilperson Runyan stated he would also need to leave the Forest Commission since he is the planning commission's representative. Ms. Hitchcock stated he could be appointed as an at large member. Councilperson Ockerman stated he was concerned with the fire board situation and was not comfortable with Mr. Burlingame's wording. Mr. Burlingame advised there is no problem with the fire board at all. The historical commission is the issue. He further advised he would not want Councilperson Hornus to serve longer than his current term. If there is a problem that comes up then it would be best for Councilperson Hornus to step down. Ms. Hitchcock stated the situation should be brought to the historical commission to get their opinion.

DISCUSSION OF TENT REVIVAL IN PARK: Gary Schooley stated he received a request from John Hoskins to hold a tent revival in the park. He further stated he brought the issue to the parks and recreation commission and they asked to have the issue brought to council. Mr. Schooley then introduced John Hoskins. Mr. Hoskins advised that he wanted to hold a tent revival in the park for one week and would not do anything that would be uncomfortable for the community or the council. Councilperson Ockerman asked what the city's liability would be. Ms. Hitchcock advised Mr. Hoskins would need to obtain an insurance rider. Mr. Hoskins advised he would do anything that council wanted him to do. Councilperson Ockerman asked how many days the revival would be held. Mr. Hoskins advised seven days but five days would be feasible. Ockerman moved, Hornus seconded to allow John Hoskins to hold a tent revival in McCurdy Park on September 6 through 10, 1999 with a deadline of 10:00 p.m. and to require Mr. Hoskins to cover all city costs. Mr. Hoskins advised he would hold the revival between 6:30 p.m. and 10:00 p.m.

Roll call vote:

Yes: Bendall, Bayless, Runyan, Dumond, Hornus, Ockerman.

No: None.

Motion CARRIED

CALL TO AUDIENCE: Karen Hornus advised that the Fourth of July Commission now has a web page and the web page was exciting to look at and contained a lot of information. She further advised that she did an interview with Channel 12 news and the interview had many points of interest that the city could use for promotional purposes.

Marlene Fick stated she thought it was great how the information was sent out on what would be discussed at the meeting and she thought that it would draw more public interest.

ADJOURN: Ockerman moved, Hornus seconded to adjourn.

Roll call vote:

Yes: Dumond, Hornus, Ockerman, Bendall, Runyan, Bayless.

No: None.

Motion CARRIED Time was 8:40 p.m.

AVERY WEAVER, MAYOR

YVONNE F. LONG, CITY CLERK